

SUBJECT: Congressional redistricting

COMMITTEE: Redistricting — favorable, without amendment

VOTE: 8 ayes — Hunter, Goldman, Jetton, Landgraf, Morrison, Murr, Schofield, White

6 nays — Anchia, Guillen, Minjarez, Moody, S. Thompson, C. Turner

1 absent — Rose

SENATE VOTE: On final passage, October 8 — 18-13 (Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini)

WITNESSES: For — (*Registered, but did not testify*: Brandon Barrera)

Against — Jessica Weldon, Battleground Texas; Bwana Payeye Kizito, Bwana Foundation; Lauren Morton, Deeds Not Words; David Stout, El Paso County; Nimra Shahzad, Emgage; Niloufar Hafizi and Amatullah Contractor, Emgage Action; Terrance Grant-Malone, Fellowship United District Association; Hasani Burton, Hasani4Progress; Jeff Harper, League of Independent Voters of Texas; Stephanie Swanson, League of Women Voters of Texas; Cyrus Reed, Lone Star Chapter Sierra Club; Samuel Gilbert II, Mount Sinai Baptist Church; Andrea Flores, Move Texas Action Fund; Jacqueline Mayhorn, NE Super Neighborhoods United; Gina Castaneda, Republican National Hispanic Assembly; Lily Trieu, Texas AAPI Redistricting Coalition; Ivory Mayhorn, Super Neighborhood 47; Sarah Chen, Texas Civil Rights Project; Ashley Cheng, TX AAPI Redistricting Coalition; Prerna Bhat, TX AAPI Redistricting Coalition, WiseUp Texas; Al Green, U. S. House of Representatives; Isaiah Martin, and Joshua Martin, University of Houston For The Students; and 37 individuals; (*Registered, but did not testify*: Jerry Vattamala, Asian American Legal Defense and Education Fund; Teresa Bermea, Battleground Texas; Guadalupe Cuellar and Joe Molinar, City of El Paso; Genevieve Villa, Deeds Not Words; Caitlyn Foret, For the

Students at Univ. of Houston; Roxy D Hall Williamson, Galveston Island Voter Education Resource and Services, Push Democracy Forward; Andrea Barreiro, Math for Unbiased Maps TX; Bridgette Murray, Pleasantville Area Super Neighborhood Council #57; Naomi Winick, RAC Texas; Eli Melendrez, Texas AFT; Orlando Sanchez, Texas Latino Conservatives; Laura Rincon-Bianchi, UH For the Students; Diana Ramirez, Workers Defense; and 17 individuals)

On — Jocelyn Carrera, Fair Election Center's Campus Vote Project; (*Registered, but did not testify*: Devan Allen, Tarrant County Pct. 2)

BACKGROUND: Under U.S. Const. Art. 1, sec. 2, an actual enumeration of the population is required every 10 years to apportion the number of seats each state will receive in the U.S. House of Representatives. This enumeration is carried out by the U.S. Census Bureau, which published results of the most recent census on August 12, 2021, after COVID-19-related delays changed its original plan to deliver redistricting data to the states by March 31.

Texas has a total resident population of 29,145,505 as of April 1, according to the results of the 2020 census. This is an increase of 3,999,944, or 15.9 percent, since the 2010 census. Based on Texas' total population as a share of the total population of the United States, Texas is apportioned 38 of the 435 members of the U.S. House of Representatives. This is an increase of two members from the apportionment determined by the 2010 census results. Dividing the resident population of the state by the 38 congressional seats results in an ideal Texas congressional district of 766,987 individuals.

Election dates following redistricting. Under SB 13 by Huffman, enacted in the second called session of the 87th Legislature and effective December 2, 2021, Election Code sec. 41.0075 establishes dates for the candidate-filing period, general primary election, and primary runoff election for the 2022 election cycle contingent on the dates that applicable redistricting plans become law. Under SB 13, a redistricting plan will be deemed as "becoming law" on the earlier of the date that the governor signs an Act of the 87th Legislature relating to the composition of the

State Board of Education, state legislative, or federal congressional districts or the date that the act becomes law without the governor's signature.

DIGEST:

SB 6 would adopt districts for members of the U.S. House of Representatives as described by PLAN2135 on the redistricting computer system operated by the Texas Legislative Council. The plan would apply starting with the primary and general elections in 2022 for congressional seats in the 118th Congress.

SB 6 would create 38 districts, including two new districts apportioned to Texas as a result of its population growth relative to other states as measured by the 2020 census. The ideal size of a congressional district is 766,987 based on the results of the 2020 census. Under SB 6, 766,987 would be the mean average size of congressional districts.

The bill states legislative intent that if any county, tract, block group, block, or other geographic area was erroneously omitted, a court reviewing the bill should include the appropriate area in accordance with the Legislature's intent. The bill would supersede all previous enactments or orders and repeal all previous acts of the Legislature adopting congressional districts for the state of Texas.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect on the 91st day after the last day of the legislative session.